# The Dog In the Manger

IGHTY little good it will do "the school children of Texas" to retain to the state school fund the title to mineral in lands sold to settlers-unless some way can be found to induce somebody to take the mineral out of the ground, turn it into marketable form, and convert it into cash.

Silver, gold, copper, oil, coal, sulphur, ninc-these things in the way nature commonly leaves them scattered around and buried under 90 fathoms of waste material in the basement of a prairie dog town, are not of much use to school children or to anybody else. They are just about as valuable in the way of an endowment-in the present state of the Texas mineral laws-as is the gold in sea water and the nitrogen in the atmosphere.

The situation reminds one of the familiar figure of the mining millionaire walking around with his pockets bulging with certificates of stock, and pausing in his tale of untold wealth only long enough to beg a dime for a beer lunch-his one heavy meal in the day.

This business of "conserving the mineral wealth for the children yet unborn" mouths well, but there is an awful lot of slush being preached these days with "conservation" as a text. The best conservation, the only kind that is worth anything, is beneficial use and prevention of waste. "Conservation" that does not allow beneficial use is not conservation at all, but plain idiocy.

Texas needs a revision of her mineral laws, in such a manner that reasonable inducements can be offered to capital to come in and develop the rich mineral resources of the state. Although Texas is exceedingly rich in metals precious and base, in oil and gas, in coal, in sulphur, in valuable earths, clays, and building stones, and in precious gems, this state ranks very near the bottom in mineral

There are two chief reasons for this backwardness of mineral development: first, the hostility almost always manifested by state legislature and state government to any effort directed toward securing a thorough mineral survey to be accompanied and followed by suitable publicity; second, the mineral laws that have no regard or reference to the actual needs of the mining industry.

West Texas will be represented with unusual strength in the next legislature, and it is to be hoped that a way will be found to shape such new legislation as will encourage the development of the mineral wealth of Texas, and not class all would-be mine prospectors and investors as undesirable citizens and suspicious

Literally 30 applicants for each postmastership in this congressional district! Congressman Smith has 1100 letters already from willing patriot, though there are only 37 offices to fill. The president on October 15 announced an order placing 36,000 postmasters of smaller offices under civil service rules-which means indefinite retention of Taft appointees, unless the Democrats reverse the executive order. This would be only fair, though it would look bed on its face. The Democrats might revoke the order, then appoint 36,000 Pt.mocrats to office, and then restore the order. No Republican would open the door again.

# Popular Vote Now Known

Popular Vote Now Known

Woodbrow Wilson received 455,000 fewer votes than Bryan did last time. Taft and Roosevelt combined received 435,000 fewer votes than Taft received four years age. Debs received 253,000 more votes than he received four years ago. Chaft. (Prohibition) received 93,000 fewer votes than he received four years ago. The total popular vote of the country, notwithstanding the admission of two new states, was 655,000 less than the total popular vote in 1908. There were probably 2,000,000 actual "first voters," including women and also men lately of ege; allowing for the death of 500,000 who voted in 1908, it appears that over 2,000,000 persons who voted for presidential electors in 1908 stayed away from the polls this year. Probably three-fourths of these were disgusted Republicans.

The Bryan votes that Wilson lost went very largely to Roosevelt. Taft's loss went effect to Roosevelt, though there were not a few Republican votes for Wilson, and a lot of former Taft voters refused to vote at all. The Socialist gain tame to some extent no doubt from "first voters" but the figures show that Debs

ne to some extent no doubt from "first voters" but the figures show that Debs gained chiefly from the old Bryan strength. In Nebraska, for example, Roosevelt and Taft combined polled exactly as many votes as Taft polled four years ago; Wilson fell off 22,000 but the Socialists gained 7000. In Pennsylvania Wilson received 53,000 fewer votes than Bryan, but Debs received 48,000 more votes than he received four years ago.

The states in which Taft polled more votes than Roosevelt were Arkansas, Connecticut, Delaware, Florida, Idaho, Kentucky, Massachusetts, Missouri, New Hampshire, New Mexico, New York, Ohio, Rhode Island, Tennessee, Texas, Utah. Vermont, Virginia, Wisconsin, and Wyoming-only 14 states outside of the old south, 20 states altogether.

The states in which Wilson's vote exceeded Bryan's of 1908 were Alabama, California, Connecticut, Delaware, Florida, Georgia, Maine, Massachusetts, New Hampshire, Oregon, Rhode Island, South Dakota, Texas, Vermont, Virginia, Washington, West Virginia, and Wyoming-18 states out of 48.

Without a single exception, the late election was the most remarkable example the United States has ever known of a great party wrecked in every separate state by a factional split. The only episode to begin to compare with it is the breaking up of the Democratic party just before the civil war. But that was distinctly sectional—this year's was in no sense sectional, but the split was accomplished with substantial uniformity in practically every state where the least

Meadow hay from central New Mexico-lots of it. Yet the old maps called it a desert.

Hale county, in the panhandle of Texas, will be a rich part of El Paso's trade territory whenever the projected railroad is built, which the Pearson group of capitalists is considering. Hale county ships 5000 carloads of farm and ranch products this year, with less than one-fifth of its area in cultivation.

An Alamogordo man has sold the sweet potatoes off a single acre of land for \$840. The local market took the spuds. Now imagine what might be done with any general effort to develop the outside markets-sweet potatoes, like onions, never grow in sufficient quantity to supply the demand.

The West extends from the 100th meridian to the Pacific ocean. The 100th meridian forms the eastern boundary of the Texas panhandle and cuts through middle Kansas. East of the line, cloudy days predominate; west of it, fair days. East of the line, men's thoughts and interests are provincial; west of it, universal. East of the line, men are hide bound; west of it, independence is the ruling passion. East of the line, environments make men; west of it, men make environ-

## One-Sentence Philosophy

QUARER MEDITATIONS.

(Philadelphia Record.) Sure things are sometimes uncer-

The average man has a pretty slimbance of landing a fat job.
Give us contentment and we care not who invents perpetual motion.

Many a young fellow sows his wild oats in the vain hope that there is going to be a crop fallure.

It is said that all his mean acts are quickly brought up before a drowning man—and the same might be said of a candidate for office.

JOURNAL ENTRIES.

(Topeka Journal)

The more colds a man has the more cures he recommends for them.
It usually takes a match to make the light in a woman's eyes.

An acropiane race is a race with death—with odds favoring death.
It is probable, if the truth were known that Lot's wife looked back to see if her skirt hung right.

(Atchisen Globe.)

A man who says he is guy in defeat to crasy.

Chin whiskers are a poor substitute for a chin.

A balloon race reminds us that there are various notions of sport.

A politician also has some difficulty in keeping from making the wrong sort of friends.

POINTED PARAGRAPHS.

A stitch today may save a rip totain.

Only a pessimist would weep for joy.

It is easier to rest too much than work too hard.

Nobody likes the man who thinks he knows it all.

The average man's popularity seldom outlasts his money.

The more a man practices economy the less popular be will be.

The average man has a pretty slim chance of landing a fet job.

In morrow.

Some laxy men get credit for having a lot of pattence.

A good excuse is seldom any more effective than a poor one.

It is awfully hard to convince some men that other people have rights.

The game of politics is all right for men who wish to try out their reputations.

see if her skirt hung right.

When a woman says she doesn't object to smoking it means she doesn't object to the man.

In a small town the unexpected is when the description marries the village belle pectation

Oyster Demand Increases Hivalve Product of the Eastern Coast For One Year Totals \$13,000,000.

ASHINGTON, D. C., Nov. 30. ter, in its uncooked state, has been criticized as an unsanitary article of food, and that no less authority than Dr. Harvey Wiley has testified that the bivalve is possessed of keen sensibilities and therefore suffers quite as much from being cooked or eaten while alive as does any other animal, the increase in the oyster industry of this country places it in the lead in importance among the other tish products. While in some states its yield is greater than in others, it still has the lead all the way from Mansachusetts to Texas, while its popularity upon the Pacific coast as an article of commercial value is being rapidly increased.

Product Valued at \$13,000,000.

The oyster product of the emitern

Product Valued at \$13,000,000.
The syster product of the emitern part of the United States last year amounted to considerably over \$12,000,000 in value. A statistical canvass, which is now being made, reveals the fact that Louisiana has quadrapled its egster output since 1908. This is the direct outcome of favorable legislation and an impetus given to syster culture following the establishment of experimental plants by the federal government.

ment.

Since 1892, when the oyster became the subject of state legislation favorable to its culture, Virginia's production has increased steadily, while Maryland, which has the richest natural oyster beds in the country, has declined. The Maryland legislature in 1900 passed an act tending to increase the interest in oyster culture in that state and amendments were passed this year perfecting it is aw and bringing the state up to that of other oyster producing regions, so that it is fully expected that Maryland will in time regain its old place in the front ranks of the oyster industry.

There is a great difference in the

There is a great difference in the price of oysters, partially due to the location of the oyster beds and the facilities for transportation, and partially to the quality of the oysters themselves. The highest average price themselves. The highest average price per bushel in 1910 was paid in Massa-chusetts, \$1.16; New York came next, paying \$6 cents. Rhone Island paid \$6. Connecticut \$8, and New Jersey and Delaware \$5. The highest price paid in the southern states was \$2 cents in Florida. The price in Georgia was \$3 and Texas \$24, both of which are in advance of Virginia and Maryland, where the average price was \$2 cents. The lowest price was for . In Carolina oysters, which brought only \$13 cents. In Louisiana the price was \$2 cents. The oyster industry of the Pacific coast at present amounts to about \$1,500,000 annually.

Rapidity Overcome Prejudice. all the year round. As regards systers, it is only a case of transplanting those which are spawning, or have already spawned, from Virginia or some other point still further south into northern and colder waters where they may be preserved until they are needed to take the place of those which have become unsalable.

Another popular fallacy about the syster is that its name indicates its line and general appearance. The torm Blue Point," for instance, is only apiled by common parlance to small, alnty looking oysters, while the name Lynn Haven' indicates both size and ubstance. The truth is that the name f an oyster has nothing whatever to o with its size or quality, but only to ac place from which it was taken. Tho Cherry Stone and "Lynn Haven Bay" are popular southern oysters which come from an arm of Chesapeake Bay and owe their peculiar flavor to the fresh water which flows down to them

fresh water which flows down to them from the pine woods.

Cultivation of Lebsters.

One of the most important tasks undertaken by those interested in fish conservation is the protection and cultivation of the lobster, which a few years ago seemed in danger of becoming practically extinct, at least along the Atlantic coast, owing chiefly to the improvidence of the fishermen in the destruction of the spawning lobsters. In addition to the hatching of the eggs, which are taken by the lobster fishermen, the bureau of fisheries and some of the states now operate lobster ponds in which egg bearing lobsters may be safely kept, pending the hatching season. As a result of the eggs thus secured, more than a quarter of a billion lobster fry have been planted in the Maine waters this season. For some time the work of planting went on at the rate of a million a day.

It is this work, which has been growing steadily for a number of years, that has made possible the increased catches of lobsters which have been noted recently. The New England coast states have passed rigid laws enforcing the return of small lobsters to the water, and despite frequent stories of violation, the fishermen themselves resent the assumption that they are so blind to their own interests as to be willing to antagonize a measure which is only intended to protect and preserve their industry.

The lobster catch of 1211 was larger.

heir industry. The lobster catch of 1911 was larger than for 15 years previous and there is every geason to think that this pepular crustacean will in the near future be-come quite within the reach of even the

#### SUFFRAGET HURLS SHOES AT JUDGE

Aberdeen, Scotland, Nov. 39 .- Mill-

After hearing the evidence the magistrate remanded them for further inquiry. As he informed them of this Joyce Locke removed her shoes and hurled one of them at the magistrate's head and then threw the other at the head of the clerk of the court. She was promptly committed for contempt of court.

The second outrage was committed The second outrage was committed by one of the members of a party of suffragets who were waiting at the railroad station for the departure of chancellor Lloyd-George. The woman mistook the Rev. Forbes Jackson for the chancellor of the exchequer in disguise and lashed him across the face with a reasy horsewith. She was at with a reavy horsewhlp. She was at once arrested.

James Maxwell, formerly engaged in usiness in El Paso, is here from Low Angeles visiting old friends.

ABE MARTIN



One o' th' most dangerous things about drinkin' is th' similarity between a tack an' a clove. Pinky Kerr has got poll evil from smokin' Tection day se-

NEW HAVEN

principal products being clocks, fire-arms, automobiles and members of the All America tootball team. It is also the hedaquarters of the New York, New Haven & Hartford railroad, New Haven and to get a job in the N. Y., N. H. &



Taking care of these trees and keeping the gypsy moths out of them is the principal New Haven industry.'

from this article New Haven contains Yale college. This is its greatest feat and it does not always succeed. It contains it part of the time, but at other times Yale bursts forth and devastates the country as far west as Broadway, New York. Yale college has 3000 students and it keeps about 25,000 New Haven people busy ministering to their wants. Yale and the New Haven road have made the city great.

The election held in this city yesterday to permit the taxpayers to ratify or reject the bond ordinances passed off quietly. A total of 173 votes were cast and all but ten of these favored the bond issues.

Last night at the presentation of "Finnegan's Ball," by the Murry and Mack company, Col. and Mrs. Bob tains it part of the time, but at other

have made the city great. New Haven's two finest things out side of Yale are its oldest and newest andmark-the old Green, which is the city square, and contains two beautifulprehistoric churches, and the Taft hotel, which mitigates the hardships of the captains of industry who come to New liaven to see their sons play football. The city is on a level plain, but lies be tween two great rocks-East Rock and West Rock, both of which afford the casual wanderer unparalleled facilities

New Haven was once joint capital of Connecticut with Hartford, but many years ago the state house was removed to the latter city to prevent the Yale freshmen from playfully hiding it each all.—Copyrighted by George Matthew

## ANCIENT ADVICE

By Walt Mason. Come, let us do our shopping early, be-

ore the Christmas rush begins, and buy a doll with tresses curly-or buy two dolls-if they are twins. This theme is all that I can think of, the only sub-ject for a lay; the bubbling spring that oots drink of, for me is dry as last year's hay. I've scratched my head for hours together to find a subject for a song, and there is nothing but the weatherand that I've sung about too long. I've racked my brain till it is popping, disturbed the household's restful calm there's nothing left but Christmas shop ing, that one in verses may embalm. Aberdeen, Scotland, Nov. 29.—Militant suffragets today brought about two scenes of violence in which a woman's shoes and a horsewhip were used as weapons.

The first outbreak required with a policy of the rushing throngs begin, for when you reach the portals pearly, St. Peter will not let you in! There's nothing doing in this valley, the country's quiet used as weapons.

The first outbreak occurred when three of the women, Joyce Locke. Fanny Parker and Mary Pollock, who had been caught hast evening in possession of explosives in the music hall where chancellor Lloyd-George was to speak, were brought before the magistrates.

Will not let you in! There's nothing doing in this valley, the country's quiet as the town; gone are the caucus and the rally, the suffragists have simmered down. The poet's briny tears are dropping adown his whiskers to the floer; there's nothing left but Christmas shopping are the caucus and the rally the suffragists have simmered the rally the suffragists have simmered the rally the suffragists have simmered the rally the country's quiet as the town; gone are the caucus and the rally the suffragists have simmered the rally the suffragists have simmered the rally the suffragists have simmered the rally the country's quiet as the town; gone are the caucus and the rally the suffragists have simmered town. The poet's bring the suffragist have simmered town. The knee sprung muse is sour and surly the harp is made of rusty tin. Oh. brothers, do your shopping early, before the Christmas crowds begin!-Copyright, 1912, by George Matthews Adams.

JOHNSON CASE DISAPPEARS Chicago, III., Nov. 30.-Lucile Cam<sup>2</sup> eron, former sweetheart of Jack Johnson, negro pugilist, has disappeared. Her mother, Mrs. F. Cameron-Falconet, into whose custody the girl was given by the federal court, has reurned to her home in Minneapolis grieving for her daughter.

The girl is believed to be hiding in Chicago, but so far no trace has been found of her. Upon her release the kirl was understood to have said she would never return to Johnson and her mother believed her. Friday America's Lucky Day Columbus Salled, Washington Was Born, Pligrims Landed on Friday. - By Madison C. Peters-

On Friday, August 3, 1492, Columbus sailed forth in scarch of another world, where creation should be reborn; on Friday, October 12, 1892, he discovered inday, october 12, 1392, he discovered land, and the maintaind of South America he discovered June 12, 1494. On Friday, March 3, 1496. Henry VHI issued to John Cabotthis commission to pursue the discovery of America, which resulted in the finding of North America, on Friday, December 2, 1629, the Pilgrim fathers landed at Plymouth Rock. Washington was born Friday. Pebruary 12, 1722. On Friday, October 14, 1777, Burgoyne surrendered at Sarator, and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and in 1706 the second little girl was born and the girls was been divocced from him and he had married again. She was a girl, I was then in California, she received a letter from Mrs. Other Mrs. Other has been divocced from him and he had married again. She was a girl, I was then in California, she received a letter from Mrs. Other has been divocced from him and he had married again. She was a girl, I was then in California, she received a letter from Mrs. Other has been divocced from him and he had married again. She was a girl, I was then in California, she received a letter from Mrs. Other has been divocced from him and he had married again. She was a girl, I was then in California, she received a letter from Mrs. Other has been divocced from him and he had married again. She was a girl. I was then in California and the last the second little from Mrs. Child Repeated Charge.

R

letter. thenceforth, when the army was spread over the country, "we must consult brother Jonathan" became a by-phrase

By GEORGE FITCH,
Author of "At Good Old Siwash."

TEW HAVEN, the metropolis of Connecticut, is a large, old-fashioned town located between two great sounds—Long Island Sound and the Yale athletic field. It is connected with New York by a four track railroad and two steamboats and with the rest of the world by the football returns. It is called the Elm City because it is situated in a vast grove of 100 year old elm trees. Taking care of these trees and keeping the gypsy of His soversignty was a 2-cent cause it is situated in a vast grove of 100 year old elm trees. Taking care of these trees and keeping the gypsy moths out of them is the principal New Haven industry.

New Haven has 133,000 people and has been accumulating them since 1638 when it was first settled. It has had an eventful history, having been captured by the British in 1779 and by the alumni of Vale in each succeeding June. It is a great manufacturing town, its principal products being clocks, fire-

dition, thereafter to be issued, the motte, "In God we trust."

"Uncle Sam." favorite pseudonym for the American govarnment, arose during the war of 1312. Samuel Wison was inspector of provisions for our army at Troy. "L. S." marked on the cask, being unfamiliar to the people, some one in sport said it must mean "Uncle Sam." The loke spread through all the armies in the field, and "U. S." stood for "Uncle Sam." until finally Uncle Sam came to stand for the United States government.

"Yankee."

American indians in their endeavor to imitate the name of the English, pronounced it "Yensees," and "Yengees" in time was applied by the indians to all New Englanders, who themselves finally adopted it with a slight alteration as "Yankees." It was first applied offensively by the British soldiers in 1775.

Mould have given the whole works to stop it. Here the winness cried again. "I think," she said. "that I had given Lillie castor oil in a cup of cold coffee the morning of the day she died. I had been advised by my attorneys in the first trial in El Paco to answer only the questions asked. That is why I did not tell about that then. I just had to tell it after them it just had to tell it after them in that trial."

At 5:15 judge S. J. Isaacks announced tant a night session would be held, commencing at 7:30. Mrs. Orner was still on the stand when court adjourned.

The Sensation of the Trial.

The sensation of the Trial was the admission by Mrs. Lucille Archer that Mrs. Orner had told her that she had killed her husband and that Lillie Orner had accused five. Orner had cold her that she had it wo or three times.

Mrs. Archer, who at the lime Lillie Orner died, was Mrs. Riley, was the liret wo or three times.

14 Years Ago Today From The Herald This Date 1808.

George W. Huffman came in this morning from Ysieta.

About \$2500 will be expended for building the new pest house.

Ben Jenkins is on the streets after being confined to his home with sick-

Railroad men in on this morning's Santa Fe train say that the country between Las Cruces and Albuquerque is shrouded in a mantle of snow.

The R. G. S. M. & P. daily express service between Junrez and Casas Grandes is meeting with success and

the officials are well pleased with the esult.
The election held in this city yester-

"Finnegan's Ball," by the Murry and Mack company, Col. and Mrs. Bob Campbell gave a box party in honor of Miss May Heath. The guests were Miss Katherine Bray, George Flory and Edgar Campbell. The little band of carpenters walch

The little band of carpenters which has been working here for some time past under the guidance of Arthur Ealand, has disbandtd for a time. Their first work was on the new roundhouse and, that finished, they turned their attention to the construcon of the twin tanks. Preparations for the coming kirm-

Preparations for the coming kirmness are proceeding satisfactory. The
performance, which will be given Monday night, will be partiy for the benefit of the public library. Miss Ada
Belle Smith will play a violin solo
during the evening. Miss Gertrude
Wiggins will sing and dance.
The opera house for Saturday has
already been sold for \$500. It is rumored that those in the cast of the Saturday night performance are looking.

urday night performance are looking to organizing a dramatic club for the purpose of helping out public benefits. The chief promoters of this organization are Mrs. A. S. Creig and Joe Creeks Crosby, jr. There has been no check in the rapid

growth of El Paso in the last faw months. On the contrary, the erection of new and costly residences and husi-ness houses seems to be rather on the increase than otherwise. The archi-tect's office are overcrowded with work and the builders and contractors have their hands full.

### LODGE OF SORROW TO BE HELD BY ELKS

Annual Memorial Service Will Be at First Presbyterian Church Sunday Afternoon. Sunday the Elks lodges in every city

of the United States will hold their ananal lodge of sorrow. This annual memorial service will be held in El Paso at the First Presbyterian church Suneafternoon and will be in charge of a committee composed of Clyde F. liolmes and Palvin Witte. R. E. Thomason, former exalted ruler of the Gaines-ville, Tex., lodge, and E. M. Whittaker will deliver the eulogies and Rev. C. L. Overstreet will deliver the benediction. A special program of memorial music being arranged. It will include solus Parvin Witte and Mrs. W. W. Evans, and quartet numbers by Mr. and Mrs. Witte. Mrs. Evans and M. H. Lemen Charles Armstrong will play a frombone solo, "One Sweetly Solomn Thought," and the roll call of the decensed members

of the El Paso lodge No. 187 will be The service will be at 3 oclock and the members will need at the lodge home at 2:15 and march to the church in a body. Exalted ruler W. W. Bridgers and being officers will preside at the me-

# MRS. ORNER TELLS H

(Continued from page L)

Brother Jonathan.

"Brother Jonathan" was Jonathan
Trumbull, governor of Connecticut under George Washington, who, when in doubt of difficulty, was wont to say.
"I must consult brother Jonathan," and the consult brother Jonathan," and letter."

brother Jonathan' became a by-phrase and the name became a designation for America, as 'John Bull' for England.

In God We Trust.

"In God we trust.' stamped upon our coins, was the suggestion of a Mary-innder, who, in a letter in 1861, urged the secretary of the treasury, Salmon P. Chase, that a suitable recognition be made on the suppose of the recognition and the secretary of the treasury. Salmon P. Chase, that a suitable recognition and the secretary of the treasury of before I was out there in Los Angeles, sick, delirious. It is not true that I lived with him 28 days and then told anyone that I left nim because he would not have his life insured. I was

would not have his life insured. I was there with my cousins, Mrs. Emma Anderson, who is now in eneva, III. and Anna Seabrooke, who is in Denver, Cole. They were at Santa Monica spending the sammer.

"I never told Mrs. Kelly I had received my insurance and was ready to get married again. I did not live with the man I was married to. I lived downstates and ne lived upstairs. I never in my life told Mrs. Samanthy Kelly that I had left him because he would not insure his life.

The Wedicine Incident.

The Medicine Incident. "I was alone with fillie when she died, between 5 and 5:20. I did not make any attempt to get the 25 bill op the drugstore and get them to changed. I did not left the boy to can up the drugstore and get them to charge it. I did not think the child was seriously sick. I did not try to get change from any of the neighbors. If I had known that bille was going to die I would have given the whole world to stop it." Here the witness cried again. "I think," she said, "that I told Dr. Brown that I had given Lillie castor ell is a cup of cold coffee the morning of

Mrs. Orner was, and, trying to place his arm about her, said: "if you had been my friend, I could have sympathised with you more." Mrs. Orner replied to this: "I do not need your sympathy."

"Then Lee swore an oath and said: You will be sorry," said the witness. Knew Mrs. Orner Eight Years.

"I have known Mrs. Orner about eight years," said the witness. "She child and her mother had teld me sev times that she had kidney

"On the train coming down from El Paso, I talked about this case. I asked Mrs. Irwin what she was com-ing down for and she said she didn't ing down for and she said she didn't know; that she didn't know anything about it. She told me she had called Mr. Nichols up on the telephone in El Paso before they had anbenned her and had said if he had any money for her she would hike out. She said her and had said if he had any money for her she would hike out. She said that he told her in reply that he had no money to buy witnesses. On the train when she said she didn't know anything I asked her what she was swing to do here and she said she didn't know what she would do if there was any money in it. She said none of them had offered to do anything for her."

Of the cars of de company gave way, throwing him to the ground. The case of M. J. Doyle, an engineer of the Texas & Paoific Railway company, who is suing the G. H. Railroad company for \$25,000 damages for personal injuries, alleged to have been sustained when a train of that road "side wined" his engine on a siding, went to the inry in the 44th district court thing for her The Damnging Admissions.

Then began the cross examination that brought out the sensational testimony that has made this the strongest case against Mrs. Other the state has yet presented. Nealon asked: "What did Mrs.

good many things said to me during he past week. I don't know if I said

"Didn't you come up and tell us that and say that the reason you had not said it before was that you had not been asked?" queried the district atdon't know," replied the witness. Then Mr. Nealon asked: "Didn't she tell you that she killed Lillie Orner and didn't you tell us she did?"

The witness replied; "No."
"Mamma You Killed Papa," "Hamma You have the lit true that in your presence and in the presence of the defendant, the child said: "Mamma you know you killed papa?" "Yes, she said that," replied the wit-

I. F. Ross, of counsel for the defence, suggested that the question was improper, saying that the woman was not on trial for killing her husband and it had not been proved that the husband had been killed. Nealon contended the right to show motive. The jury was then sent out upon request of Mr. Ross who began to argue that this evidence was inadmissable. Nealon then asked several preliminary guestions while the jury was out of the room. In response to one of these Mrs. Archer said that she knew Albert Orner, deceased husband of Mrs. Agness Orner; that she had seen him at the station in El Paso, and a few days isier, while she was J. F. Ross, of counsel for the de-

Mrz. Orner here started to ery. Sue put her handkerchief to her eyes and the flood of lears that threatened was stopped. Her attitude from this minute forth was that of one deeply interested but not disturbed by the disclosures made.

Mr. Ross objected to the festimony, saying: "I never saw anything so reprehensible. It should be binished from this court room." However, judge Issacks disagreed with the counsel for the defence and allowed Mr. Nosion to continue his question-

counsel for the defence and allowed. Mr. Notion to continue his questioning, whereupon he asked the witness:
"Did Mrs. Orner herself tell you that she killed Mr. Orner?"
"She did," replied the witness.
Then the attorneys for the defence took the ground that none of this testimony was admissible and stroye to have it excluded from the record and the jury instructed not to consider it. However, judge Islancks, instructing the witness hot to speak to anyone, not even the attorneys on anyone, not even the attorneys on either side, said he would later hear the arguments of attorneys in regard

Taiked When Very IIL

However, before this occurred, Nealon had asked how often Mrs. Orner had told her she had killed her husband. To this she replied: "Once," It was while she was very lil, about a year before she was taken to Kansas. She was seriously ill and I believed at the time she was delirious. The doctor had said she might not live until she got to Kansas."

Mrs. Edith Evans testified that Mrs. Orner had apparently been good to Lille and that she had been with the child from I oclock in the afternoon until 4 oclock, the day she died. She said that the child had been seriously ill and had come to the house upon the request of Mrs. Orner. She did not ask Mrs. Orner and the interhad not informed her what made Lille sick.

The testimony as to the Statement

The testimony as to the statement made by Lillie to Mrs. Erans, which was ruled out by the court of appeals. was also denied admittance by judge Isaacks.

Witness Becalled. Mrs. Irwin was recalled for the pur-

Mrs. Irwin was recalled for the purpose of explaining the threats made by state's attorneys to put her in jall if she did not tell what she knew. Asked by Mr. Brady if he had not told her that any witness who refused to tell the truth in the case would be put in jall, indicted for perjury and sent to prison, she replied: "I don't remember the words you used, but I heard you say if I did not come across I would be put in. So I said farewell, here soes." The manner of Mrs. Irwin and the mode of her speech caused a tilier to run through the The sensation of the trial was the admission by Mrs. Lucille Archer that admission by Mrs. Lucille Archer that and Mrs. Orner had told her that she had killed her husband and that Lillie Orner had accused Mrs. Orner of the crime two or three times.

Mrs. Archer, who at the time Lillie Orner died, was Mrs. Riley, was the first witness for the defence and it was during her cross examination, conducted by district attorney for Mrs. Irwin and the mode of her speech arms and its man in the mode of her speech trained by district attorney for the defence, was brought out. A fight against its admission was made by the defence, Nealon contended that the testimous was admissable for the purpose of showing motive and J. F. Ross. of counsel for the defence, contended that it was inadmissable because it had not been proved that Albert Orner, husband of Mrs. Orner, had been killed.

After testifying that she was at Mrs. After testifying that she was at Mrs. Orner bouse on the night that Lillie died, Mrs. Archer said that J. D. Lee had gone into the dining room where Mrs. Orner was, and, trying to place his arm about her, said: "If you had

Robert E. Lee Newman, of El Paso, testified that Mrs. Orner had told him once that she knew a notion that would cause death and doctors could not detect it. He was the last witness for the state. Following the closing of his testimony, the state

#### TWO DAMAGE SUITS AGAINST RAILROADS

The case of John Smith, who is suing the Galveston, Harrisburg & San An-tonio Railway company for \$30,000 damages for personal injuries, went to trial in the 34th district court Saturday morning. The plaintiff alleges that he had been in the employ of the defendant company as a watchinan, and was injured on February 16, when a step on one of the cars of ue company gave way, throwing him to the ground. The case of M. J. Doyle, an engineer of the Texas & Pacific Railway com-

to the jury in the 54th district court Friday afternoon.

FRIENDS FAIL TO COME AND NEWSBOYS GET DINNER

Two Mexicun newsies of The Herald has yet presented. "What did Mrz. owe their Thanksgiving dinner to Orner say to you about killing her husband" the Kansas City Scuthern Railway Mrs. Archer replied: "She did not say anything about it."

Nealon asked: "Do you remember her saying, Lucile I killed my child? Or Lucile I killed Lillle?" "No," replied the witness.

"Did you make a statement like Southern Pacific company at Tueson, and You Not and moved in the Southern Pacific company at Tueson, and You Not need moved in the Southern Pacific company at Tueson, and You Not need moved in the Southern Pacific company at Tueson, and You want to be southern Pacific company at Tueson, and You want to be southern Pacific company at Tueson, and You want to be southern Railway company and the southern Railway company. With headquarters at San Antonio, Tex. Wilkinson came to El Paso to est dinner with Roy Barnum, county and it was a statement like the southern Railway company. With headquarters at San Antonio, Tex. Wilkinson came to El Paso to est dinner with Roy Barnum, county and it was a statement like the southern Railway company. William to be southern Railway company. "Did you make a statement like that to Mr. Neill and myself in the presence of Mr. Kaster, in our office in the American bank building in Et Paso about a week ago."

"I don't know. These have been and myself the newsres in the park and myself them to est dinner with him and myself them to est dinner with him. some, found the newsies in the park and invited them to eat dinner with him Thursday. He took his guests, dreserd as they were, to the Sheldon hotel and bought the "best."

MODERN WOODMEN OF AMERICA WITHDRAW LICREASED RATES

Rock Island, Ill., Nov. 30,-An official statement withdrawing the order for new insurance rates as adopted by the head camp of the order in Chleago was issued from the executive offices of the Modern Woodmen of America today. The action was a sequel to a recent court decision in Springfield, Ill., enjoining enforcement of the new rates.

FORMER STATE SECRETARY Former secretary of state C. C. Mc-Donald of Terrell, Tex, is expected here Monday to engage in the practice of law with the firm of Hudspeth & Gil-lett. Mr. McDonald recently resigned his position as secretary of state to come to El Paso.

TWO POLICEMEN RESIGN.

R. E. Edwards and H. E. Crawford. brolmen, have tendered their resignato police chief I. N. Davis. Craw-lins taken charge of an automobile pent purposes, and industrie will bea watchman for merchants on El